

Assembly Bill No. 2468

Passed the Assembly April 26, 2010

Chief Clerk of the Assembly

Passed the Senate August 11, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 1034 to the Labor Code, relating to lactation accommodation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2468, De Leon. Lactation accommodation: workplace designation.

Existing law requires every employer to provide a reasonable amount of break time to accommodate an employee who desires to express breast milk for the employee's infant child. Existing law requires employers to make reasonable efforts to provide the employee with the use of a room, other than a toilet stall, for the employee to express breast milk, as specified.

This bill would authorize an employer to use the designation "Breast-Feeding Mother-Friendly Workplace" in its promotional materials if the employer submits its workplace breast-feeding policy to the Labor Commissioner and the Labor Commissioner determines that the employer's policy provides for specified criteria.

The people of the State of California do enact as follows:

SECTION 1. Section 1034 is added to the Labor Code, to read:

1034. (a) An employer may use the designation "Breast-Feeding Mother-Friendly Workplace" on its promotional materials if the employer submits its workplace breast-feeding policy to the Labor Commissioner and the Labor Commissioner determines that the policy provides for all of the following:

(1) Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for expression of breast milk.

(2) A convenient, sanitary, safe, and private location, other than a toilet stall, allowing privacy for breast-feeding or expressing breast milk.

(3) A convenient, clean, and safe water source with facilities for washing hands and rinsing breast-pumping equipment located in or near the private location specified in paragraph (2).

(4) A convenient hygienic refrigerator in the workplace for the temporary storage of breast milk.

(b) The Labor Commissioner shall maintain a list of employers who are eligible to use the “Breast-Feeding Mother-Friendly Workplace” designation and shall publish that list on the department’s Internet Web site.

(c) The provisions of this section are not subject to Section 1033.

Approved _____, 2010

Governor